

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Bonnie F., ¹)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:23-cv-3688-BHH
)	
Kilolo Kijakazi, Acting Commissioner of the Social Security Administration,)	<u>ORDER</u>
)	
Defendant.)	
)	

This matter is before the Court upon Plaintiff's action filed pursuant to 42 U.S.C. §§ 405(g) and 1383(c) to obtain judicial review of the final decision of the Commissioner of Social Security. In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.), Plaintiff's motion to proceed *in forma pauperis* was referred to a United States Magistrate Judge for preliminary determinations.

On July 31, 2023, Magistrate Judge Shiva V. Hodges issued a report and recommendation ("Report"), outlining the matter and finding that Plaintiff is not qualified to proceed *in forma pauperis* in this action. Accordingly, the Magistrate Judge recommends that the Court deny Plaintiff's motion. Attached to the Magistrate Judge's Report was a notice advising Plaintiff of the right to file written objections to the Report within fourteen days of receiving a copy.

On August 9, 2023, Plaintiff filed a reply indicating that she would not be objecting to the Magistrate Judge's Report and that she will promptly pay the filing fee. (ECF No. 9.)

¹ The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, due to significant privacy concerns in Social Security cases, federal courts should refer to claimants by their first names and last initials.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a de novo determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

Here, because no objections to the Report have been filed, and because Plaintiff has agreed to pay the filing fee, the Court finds no clear error in the Magistrate Judge's Report. Accordingly, the Court adopts the Magistrate Judge's Report (ECF No. 8) and denies Plaintiff's motion to proceed *in forma pauperis* (ECF No. 2). Plaintiff shall have fourteen days from the date of this order to pay the full filing fee of \$402.00.

IT IS SO ORDERED.

/s/Bruce H. Hendricks
United States District Judge

August 15, 2023
Charleston, South Carolina